BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.08.2022
CORAM:
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM
Crl.O.P.(MD) No.15069 of 2022

M.Johnson,
: Petitioner

Vs

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul

2. The Deputy Superintendent Of Police,
O/o. the Deputy Superintendent of Police,
Vedasandur Taluk, Dindigul

3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District

4. Sivasamy,
: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the respondents 1 to 3 herein to provide necessary Police Protection to the life and limb of the petitioner and also to his property of an extent of 10 acres comprising in Survey Nos. 20/21, 39, 40/1, 40/6, 42/2, 43/2, 45/3, 46/3, 40/2, 45/2, 461 and 46/2, situated at Malvarpatti, Vedasandur Taluk, Dindigul District and a residential house situated thereon by considering the petitioner-s representation, dated 13.08.2022 and for other reliefs.
For Petitioner : Mr.Lawrance.J,

For R1 to R3 : Mr.R.Suresh Kumar,
Government Advocate
(Crl.Side)

For R4 : Mr.V.Muthu Kamatchi

ORDER

This criminal original petition has been filed seeking a direction to the respondents 1 to 3 herein to provide necessary Police Protection to the life and limb of the petitioner and also to his property measuring an extent of 10 acres comprised in Survey Nos. 20/21, 39, 40/1, 40/6, 42/2, 43/2, 45/3, 46/3, 40/2, 45/2, 461 and 46/2, situated at Malvarpatti, Vedasandur Taluk, Dindigul District and a residential house situated thereon, by considering

the petitioner-s representation, dated 13.08.2022.

2.The learned Counsel appearing for the petitioner submitted that the petitioner received a sum of Rs. 10,00,000/~ from the fourth respondent and registered a power of attorney. In pursuance of the power of attorney, he had also executed a sale deed in favour of some persons and the petitioner also. Now, the petitioner is in possession of the property contained in the power of attorney in the sale deeds. The fourth respondent threatening him and attempted to trespass into his property. Hence, he gave a representation to the respondent police on 13.08.2022, seeking police protecton.

3.The learned Government Advocate (Crl.Side) submitted that there is a money transaction between the parties and then, the fourth respondent got a sale deed in favour of him and since there is a dispute between the petitioner and fourth respondent, the fourth respondent gave a complaint against the petitioner based on that complaint, an FIR in Crime No.84/2022 had been registered, for the offences under Sections 447, 324, 294(b), 506(2) IPC against the petitioner and the same is under investigation.

4.The learned Counsel appearing for the fourth respondent submitted that the fourth respondent gave money to the petitioner and also purchased the property and he got power of attorney from the petitioner with regard to the disputed property. In pursuance of the power of attorney, he had executed a sale deed in favour of one Balu samy and Ravichandran. Since the petitioner threatened and assaulted, he gave a complaint against the petitioner, for which, an FIR in Crime No.84/2022.

5.I have considered the matter in the light of the submissions made by the learned Counsels appearing for the parties.

6.On a perusal of records, it is seen that the petitioner received a sum of Rs.10,00,000/~ and he had executed a power of attorney in favour of the fourth respondent, is not disputed. Now, they are disputing that the fourth respondent refused to cancel the power deed executed by the petitioner and also executed a sale deed in favour of a third person. Hence, there is a dispute between the petitioner and the fourth respondent. With regard to the occurrence that took place in the month of January, 2021, the fourth respondent gave a complaint against the petitioner and based on that complaint, an FIR in Crime No.84/2022 had been registered, for the offences under Sections 447, 324, 294(b), 506(2) IPC and the same is under investigation.

7.In view of the above, the third respondent is directed to complete the investigation, based on the petitioner-s representation, dated 13.08.2022, within a period of four weeks from the date of receipt of a copy of this order. With regard to the cancellation of power deed and execution of the sale deed, the petitioner may approach the competent civil Court for getting appropriate remedy.

8.With the above direction, this criminal original petition stands closed.

23.08.2022
Internet:Yes
Index:Yes/No
Speaking/Non speaking order
lr

To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Dindigul

2. The Deputy Superintendent Of Police,
O/o. the Deputy Superintendent of Police,
Vedasandur Taluk, Dindigul

3. The Inspector of Police,
Vedasandur Police Station,
Dindigul District

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

V.SIVAGNANAM, J.
lr

23.08.2022